

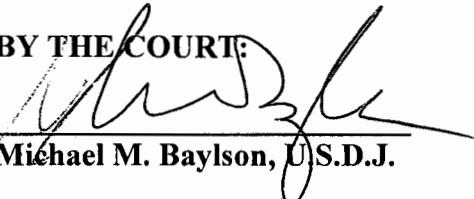
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREW WOLFINGTON  Plaintiff,  vs.  RECONSTRUCTIVE ORTHOPAEDIC ASSOCIATES II, P.C. a/k/a The Rothman Institute  Defendant.	CIVIL ACTION NO. 16-cv-4935
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**ORDER**

And NOW, this 22<sup>th</sup> day of December 2016, for the reasons stated in the foregoing memorandum, it is hereby **ORDERED** that Defendant's Motion for Judgment on the Pleadings under Federal Rule of Civil Procedure 12(c), or in the alternative, Summary Judgment under Federal Rule of Civil Procedure 56 (ECF No. 10), is **GRANTED**, and the Complaint is dismissed, with prejudice. Plaintiff's Motion to Dismiss Defendant's Counterclaim Under Federal Rule of Civil Procedure 12(b)(1) (ECF No. 8) is **GRANTED**, without prejudice.

It is further **ORDERED**, pursuant to Federal Rule of Civil Procedure 11(c)(3), that Plaintiff shall have until January 13, 2017 to show cause why sanctions should not be imposed. Defendant shall have fourteen (14) days to respond.

BY THE COURT:  
  
Michael M. Bayson, U.S.D.J.